THOUGHTS

ON OUR

ACQUISITIONS

IN THE

EAST INDIES;

PARTICULARLY RESPECTING

BENGAL.

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PREFACE.

THE following thoughts were committed to paper ſome time before the appointment of Superviſors for the affairs of the Eaſt India company in 1769. Several copies were then given to different directors, but without producing any effect in moderating the general ſyſtem of deſpotiſm, that has prevailed for theſe nine years paſt in the management of the affairs of that company.

As the ſame ſubject is again become the topic of general converſation, and the ſame *impoſing* remedies are talked of, the author has been induced to lay his ſentiments before the public, that they may judge what weight his opinions merit from the experience of the ſyſtem he preſumes to combat.

The large quotations from different authors, and particularly from Mr. Ferguſon, has been objected to by ſome perſons, as communicating nothing new. But it is not the deſire of the author to acquire that praiſe, his end is to eſtabliſh the juſtneſs of the plan he propoſes; in doing which, he rather wiſhes to call to mens remembrance acknowledged truths, than offer contravertible axioms.

The preference given to Mr. Ferguſon, comes from the ſuperiority to which he is juſtly entitled, amidſt that claſs of writers.—After underſtanding the extent and conection of his book, a man might as well pretend to treat of mathematics without reference to Euclid, as to reaſon on government without a reference to the *Eſſay on Civil Society*.

To bring the queſtion under diſcuſſion fairly before the public, whether deſpotic authority in a few? or *limited* authority in many? is beſt adapted to the well government of the affairs of the

Eaſt India company; it is proper to quote two paragraphs of different letters to the court of directors, on the ſubject *of ſecret and ſelect committees*. The firſt was wrote by general John Carnac and Mr. Harry Verelſt, before they were members of that deſtructive inſtitution. The ſecond was wrote by lord Clive, after thoſe worthy gentlemen had become his aſſociates, in the very eſtabliſhment to which He and They had formerly aſcribed ſo many miſchiefs. For ſtile and reaſoning (according to that preciſion which ought to prevail in matters of government) his lordſhip's production is perhaps the moſt curious which has been preſented to rational beings, ſince the days of Oliver Cromwell.

1ſt. Copy of a paragraph of a letter from "Eyre Coote, Peter Amyatt, John "Carnac, William Ellis, Samuel Bat- "ſon, and Henry Verelſt. 11th March "1762.

"It gives us the greateſt concern to "be obliged to addreſs you in the man-

"ner

" ner we are now under the neceſſity
" of doing; but as we have publickly
" declared our diſſent from the late revo-
" lution in the kingdom of Bengal, and
" expreſſed our *entire* diſapprobation of
" the meaſures purſued conſequent there-
" to; it is our duty to acquaint you
" with our reaſons for having differed
" in opinion from the gentlemen who
" were acceſſary to the revolution, *leſt*
" *ill minded people ſhould repreſent our*
" *oppoſition as a faction*, inſtead of owing
" its riſe, as it really does, to our ſtrict
" regard to what we think conducive to
" the honour of our country, and the
" intereſts of our employers. *Had the*
" *the whole board been conſulted, we dare*
" *aſſert, this meaſure would have been*
" *rejected by the majority; and we humbly*
" *refer to you, whether the opinion of*
" *every member thereof ought not to have*
" *been taken by the preſident before he*
" *ventured upon ſo bold a ſtep as the ſub-*
" *verſion of a government.*"

2d. Copy of a paragraph of a letter from the Right Hon. Lord Clive, to the Court of Directors of the Eaſt India Company. Calcutta, 30th Sept. 1765.

" The gentlemen in council of late " years at Bengal ſeem to have been " actuated, in every conſultation, by a " very obſtinate and miſchievous ſpirit. " The office of Governor has been in a " manner hunted down, ſtripped of its " dignity, and then divided into *ſixteen* " ſhares. Whether ambition, obſtinacy, " pride, or ſelf-intereſt is uſually the " motive to ſuch a *purſuit*, I will not " take upon me to determine; but am " ſure it can never ariſe from a juſt idea " of government, or a true ſenſe of the " Company's intereſt. In my opinion, " it is the duty of the Council to make " the power of the preſident appear as " *extenſive as poſſible* in the eyes of the " people, that all correſpondence with " the country princes ſhould be carried " on through him *alone*, ſome *particular* " *caſes excepted*; that the Council ſhould

" upon

" upon all occaſions be *unanimous* in
" ſupporting, not in *extenuating* the dig-
" nity of his ſtation; and that he ought
" to be conſidered among the natives as
" the *ſole* manager and conductor of
" political affairs. This ſhould be the
" *outward* appearance of adminiſtration:
" though in *reality*, the Council muſt be
" allowed a *freedom of judgment*; and
" when they perceive in the Governor a
" *tendency* to abſolute, or unjuſtifiable
" meaſures, it *then* becomes their duty
" to check him. If they at any time
" have reaſon to diſtruſt the rectitude of
" his principles, they ſhould not allow
" him to execute deſigns, even of the
" ſmalleſt moment, without previouſly
" laying them before the Board, and
" obtaining their approbation. In ſhort,
" the beſt Governor ſhould not, *except in*
" *caſes of neceſſity*, be ſuffered to conclude
" any points of importance without the
" ſanction of the Board. But the *expe-*
" *dient of a Select Committee* equally pre-
" vents any ill conduct in the Governor,
" and

" and is beſides attended with advantages
" which can rarely be expected from the
" *whole* body of Councillors. *Five* gen-
" tlemen well verſed in the Company's
" true intereſt, of abilities to plan, and
" reſolution to execute; gentlemen whoſe
" fortunes are *honourably approaching* to
" affluence, and whoſe integrity has
" never ſuffered them to exceed the
" bounds of *moderation**: a Select Com-
" mittee compoſed of ſuch men will
" tranſact more buſineſs *in a week* than
" the Council can in a *month*. The
" opinions and judgment of *five* men
" are as ſecurely to be relied on, even in
" affairs of the utmoſt conſequence, as
" *ſixteen*; they are leſs liable to *diſſenſion*,
" and it may be ſaid, beyond a contra-
" diction, that their adminiſtration is
" more diſtant *from democratic anarchy*.
" The Council would not be, however,

a " an

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* Theſe poor gentlemen are, Lord Clive, General Carnac, Harry Verelſt, W. B. Sumner, and Francis Sykes.

" an uſeleſs body: for whilſt the atten-
" tion of the Committee was chiefly
" engaged in watching and repairing the
" *main ſprings of* government, the Council
" would as materially ſerve the Company
" in attending to the many *other move-*
" *ments of the grand machine*, which are
" as eſſentially neceſſary to the public
" advantage and ſecurity: and that the
" Committee ſhould not be able to carry
" their powers to any dangerous length,
" *they might* be ordered *annually*, before
" the diſpatch of the Europe ſhips, to
" ſubmit their proceedings to the *review*
" of the gentlemen in council, who
" might tranſmit their opinions there-
" upon to the Court of Directors. Your
" preſent Select Committee have, from
" time time, laid *moſt* of their proceed-
" ings before Council; and we intend to
" continue the ſame ſyſtem of *candor*,
" except *in any political caſes of ſecrecy*,
" when *prudence* may require that our
" reſolutions ſhould be confined to the
" knowledge of a *few*. Thus freely I

" have

" have given you my opinion upon the
" ſort of government I could wiſh to
" ſee eſtabliſhed in this ſettlement."

Notwithſtanding the many bleſſings which his lordſhip gave us reaſon to expect from the foregoing ſcheme; every one is now ready to admit the neceſſity of ſome alteration in the government of the poſſeſſions of the Eaſt India Company. Moſt men are inclined to think that they ought to be put under the management of the Crown, like our other Colonies. This tranſition, though poſſible, muſt be attended with innumerable difficulties, conſidering what convulſions, even the ſmalleſt ſtroke of legiſlative authority upon private property generally produces, notwithſtanding all the precautions which may be uſed.

Another objection ariſes from the difficulty of preſerving the mercantile intereſt of the Company in the Eaſt Indies, after the military and political authority ſhall be taken away; or ſuppoſing the Company diſſolved, and the

trade laid open, whether it is poſſible to carry on the Eaſt India trade *to the benefit of the nation*, under ſuch a ſyſtem *; conſidering the temptations to ſmuggling which would then preſent themſelves, and how much the different articles interfere with our own manufactures.

For my own part, I am always inclined to reſpect the inſtitutions of every community which has riſen under many difficulties, from low beginnings to ſuperior pre-eminence. At leaſt after ſuch ſtrong preſumption in favour, it is dangerous to condemn the old conſtitution, upon any apparent inconveniencies, without a thorough inveſtigation, to judge whether the evils complained of may not ariſe from ſome *corrupt deviation*.

In the progreſs of ſociety additional props and balances will often become neceſſary. That of pulling down a whole edifice, to erect a new building, generally ends in the deſtruction of the community,

* Sir Joſiah Child thought it was not.

community, and always leads to convulſions which no one could foreſee.

The immenſe power which would be added to the crown, by our dominions in the Eaſt falling immediately under its management, muſt be a ſerious conſideration with every one who believes the preponderating weight which that part of the conſtitution already poſſeſſes; and who wiſhes, at the ſame time, to preſerve the juſt balance. Every intelligent mind muſt foreſee the immenſe additional influence that would accrue, by the command of ſuch a number of troops, the adminiſtration of ſuch extenſive revenues, and the diſpoſal of ſo many offices. The author of theſe reflections is perſuaded, we might expect the ſame effects that followed the annexation of the rich Orders of St. Jago, Calatrava, and Alcantara, to the crown of Spain, which a celebrated Spaniſh hiſtorian ſays, contributed more towards inſlaving that country, than all the other inſidious arts and expedients of Ferdinand and Iſabella.

Theſe conſiderations have induced the author, rather to think how the preſent ſyſtem may be amended, than of the manner in which new governments may be erected.

The interpoſition of the legiſlature will be neceſſary at all events, ſince the multiplied tyrannies of a double government can no longer be endured; and indeed it now becomes evident, from the powerful and complicated intereſts which prevail in Leadenhall-ſtreet, that without the conſtant attention of parliament, it will be in vain to expect either integrity or juſtice in the management of the affairs of the Eaſt India company, where the temptations to a contrary conduct are ſo great.

ERRATA.

Page 22 line 19 inſtead of *care* read *caſe*.
23 6 inſtead of *that* read *who*.

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IT is undoubtedly the greateſt object which can employ a liberal mind, that of communicating * happineſs to a number of people, by proper regulations of government.

The poſſeſſions of Great Britain in the Eaſt Indies, preſent a ſcene for the exerciſe of this talent, beyond any other ſubject which has offered in our time.

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* The good of the greateſt number of individuals, who live under the ſame common form of government, is an object far from being chimerical, and which may always be appealed to.

Principe dont perſonne ne connoit toute l'etendue, ni la fecondité, principe qui renferme toute la morale, & la legiſlation. *Helvelius.*

Moſt men exclaim with the multitude, Liberty! Liberty! what an excellent thing is liberty? But when they are called to ſuſtain the powers which give it effect, or to communicate the like advantages to others, daily experience evinces how ſeldom the generality of mankind have examined the principles on which real liberty, or the excellence of a free government depends.

If a man was to ſatisfy himſelf in the reaſon, why a like number of men of equal ſtrength, activity, and genius, ſituated under ſimilar circumſtances of air, ſoil, and climate, ſhould not at all times produce equal degrees of improvement or proſperity, he might be the better able to judge of the ſubject under diſcuſſion.

It is certain that this difference in the inhabitants of different countries, does not ariſe from the actual oppreſſions committed by any one government under the ſun, ſince in fact, theſe oppreſſions muſt ever be in a very ſmall proportion to the number of the inhabitants exiſting

under

under any government whatever; but they ariſe from the various paſſions, which are the great incitements to human actions, being repreſſed or excluded from exerciſing their functions, with that force and elevation of mind, or that caprice and whim which pertain to the nature of a human being.

Yet from theſe ſources all the branching improvements of ſociety ſpring, as much as the towering oak from the acorn, or the moſt beautiful flower from a ſeed, which is hardly perceptible to vulgar eyes.

The queſtion will then turn, upon what are theſe various paſſions which are the great incitement to human actions? I anſwer, that the firſt great paſſion is *ambition*, or the deſire of excelling among our fellow citizens, and particularly in acting an eminent part in the government of the ſociety. The ſecond is, *avarice*, or the deſire of acquiring perſonal conſideration by the heaping up of means for the purchaſing convenience. The third is the power of deviſing or

executing any plan or project, which the mind in the heat of emotion or ſentiment may propoſe to itſelf, according to the various ſucceſſion of ideas which revolve, and this paſſion I ſhall call *whim* *.

It is, in my opinion, upon the proper exerciſe and controul of thoſe three paſſions, that the great difference in communities ariſes, and in conſequence, that the eſſential conſideration in eſtabliſhing any government is, how to extract all the good which is to be derived from thoſe

* The only way by which a government can avail itſelf of the induſtry and activity of all its ſubjects, is, to permit every one to act under the ſtimulus he has adopted; when government will take upon itſelf to preſcribe *their* ſtimulus, and repreſs all others, it deprives itſelf of the fruits of the activity of the greater part of its ſubjects, whoſe activity, when founded on a ſtimulus of their own choice, will infinitely ſurpaſs all activity founded on authority. This is no wonder, when we conſider, that the very love of life itſelf is found, in every individual to be built, not on what we think he ought to value, but on the value, habit or fancy have taught him to ſet upon it.

Jackſon.

thoſe paſſions, without admitting more of the evil than is neceſſary, in obtaining the very good which is propoſed.

Moſt men conſidering only the evil which ſprings from the human paſſions, without perceiving the balance that is provided by Providence, from the ſlighteſt management bend the whole force of their eſtabliſhments to ſuppreſs the evil, without permitting the good to operate in any degree, as if a man ſhould turn the courſe of a river, becauſe from his own inattention or miſmanagement it had once deluged his fields, and borne down every thing before it. Or ſhould paſs an edict for excluding the uſe of fire, after ſeeing the effect of a deſtructive conflagration.—It is partly with a view to this that Monteſquieu has wrote his emphatical chapter ‡.

" When the ſavages of Louiſiana are " deſirous of fruit, they cut the tree to the " root, and gather the fruit. This is an " emblem of deſpotic government."

The

‡ Chap. xiii. vol. i. book 5.

The proper check to the evils ariſing from ambition, which is the nobleſt paſſion that can influence a human being, is, the emulation of other men, acting in the ſame career of glory. Each is forced to appeal to the public, as the proper judge of their conduct. The talents of the one or the many, are balanced by the qualities of others, and in conſequence, the whole are forced in the uncorrupted ſtages of ſociety, to practiſe the engaging principles of morality, which are co-exiſting with the human frame. Hence ariſes the maxim of Tacitus, " That whoſoever contemns fame contemns virtue;" and the milder precepts of Monteſquieu *.

" Let us follow nature (ſays he) who
" has given ſhame to man for his
" ſcourge; and let the heavieſt part of
" the puniſhment be the infamy attend-
" ing it.

" Mankind muſt not be governed with
" too much ſeverity; we ought to make a
" prudent uſe of the means which nature
" has

* Chap. xii. vol. i. book 6.

" has given us to conduct them. If we " enquire into the cauſe of all human " corruptions, we ſhall find that they " proceed from the impunity of crimi- " nals, and not from the moderation of " puniſhments.

" It often happens that a legiſlator, " deſirous of remedying an abuſe, thinks " of nothing elſe; his eyes are open only " to this object, and ſhut to its incon- " veniencies.—When the abuſe is redreſ- " ſed, you ſee only the ſeverity of the " legiſlator; yet, there remains an evil " in the ſtate that has ſprung from this " ſeverity; the minds of the people are " debaſed and corrupted, and become " habituated to deſpotiſm."

Avarice, again, may be compared to dung in agriculture, diſguſting in itſelf, and hateful in every operation; but at the ſame time, it is a paſſion more eſſential to ſociety than any other, and whoſe fermentation puts the whole in motion. This paſſion never can be foſtered or protected with ſafety, except when the practice of ambition is equally allowed, which will fully deſtroy its pernicious

 effects;

effects; and ſo wiſely are human affairs diſpoſed, that the perfect protection of private property, which would ſeem at firſt view to favour the paſſion of avarice to the extremity of vice, is on the contrary, the only ſecurity againſt its increaſing influence, and the only means of turning it into a proper induſtry.

The effects of the laſt mentioned paſſions, have been fully and maſterly conſidered, by ſome late writers on government; but no author that I know of, has ever attended to the effects of *whim*, which is eſſential to the happineſs of mankind, as well as being the cauſe of moſt of the inventions and improvements in ſociety: whoever will examine into the hiſtory of the mechanical and commercial arts, and even the improvements of gardening and agriculture, will be convinced of the danger of reſtraining this paſſion within the narrow bounds of our limited reaſon.

" For nature here,
" Wantoned as in her prime, and played at will
" Her virgin fancies, pouring forth more ſweet:
" Wild, above rule or art: enormous bliſs!"

To

To determine then what ſpecies of government is beſt, we have only to conſider; where thoſe three paſſions are permitted to have their full exerciſe, in order to balance and controul each other. If ambition is encouraged *only*, and avarice and whim reſtrained, as at Sparta, or among the North American nations; you will find men of the greateſt magnanimity of ſentiment, and the utmoſt force of mind; But deſtitute of all the finer ornaments of life, and in conſequence, their numbers cannot be extended to any conſiderable degree.—If avarice is encouraged, ambition ſtifled, and whim checked, as in Holland, you may expect to find men of great induſtry, little ſouls, and a confined taſte.—If ambition is annihilated, and the other two paſſions encouraged; you will find, a timid, cunning, dexterous, Chineſe compleat. If ambition, avarice, and innocent inclination, (however wild,) are properly protected and encouraged, we ſhall find men excelling in all the qualifications appertaining to human nature,

while plenty and happineſs abound through the empire.

—" All ſave the paſſing clouds
" That often hang on freedom's jealous brow."

If all the three paſſions are diſcouraged, and fear is ſuggeſted as the only motive to duty, which is the caſe in every deſpotic government, as well as Bengal; every heart becomes rapacious or baſe, and this *dictatorial* power, if applied to a healthy body, is ſure to create the diſtemper it was intended to cure *.

In eſſays of this kind, detached maxims from approved authors, will often throw a ſtronger light on the ſubject than a regular concatenation of ſentiment, where one is not permitted to purſue every part to a proper diſtinctneſs.

" Liberty is never in greater danger,
" than when we meaſure national felicity
" by the bleſſings which a prince may
" beſtow, or by the mere tranquillity

which

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* Les palliatifes ſont, ſans conferdit, la pire des recettes pour le regime d'un etat.—*L'Ami des hommes.*

" which may attend an equitable admi-
" niſtration. The ſovereign may daz-
" zle with his heroic qualities; he may
" protect his ſubjects in the enjoyment
" of every animal advantage, or plea-
" ſure: but the benefits ariſing from
" liberty are of a different ſort; they
" are not the fruits of a virtue, and of a
" goodneſs, which operate in the breaſt
" of one man, but the communication
" of virtue itſelf to many; *and ſuch a*
" *diſtribution of functions in civil ſociety,*
" *as gives to numbers the exerciſes and*
" *occupations which appertain to their*
" *nature* *.

" Even with the beſt intentions to-
" wards mankind, we are apt to think
" that their welfare depends, not on the
" felicity of their own inclinations, or
" the happy employment of their own
" talents, but on their ready compli-

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* In this view one may ſee how puerile and abſurd thoſe lines of *Pope* are:

For forms of government let fools conteſt,
Whate'er is beſt adminiſter'd is beſt.

 " ance

" ance with what *we* have deviſed for
" their good. Accordingly, the greateſt
" virtue of which any ſovereign has
" hitherto ſhown an example, is, not
" a deſire of cheriſhing in his people the
" ſpirit of freedom and independence;
" but what is in itſelf ſufficiently rare,
" and highly meritorious, a ſteady re-
" gard to the diſtribution of juſtice in
" matters of property, a diſpoſition to
" protect and oblige, to redreſs the griev-
" ances, and to promote the intereſt of
" his ſubjects. It was from a reference
" to theſe objects, that *Titus* computed
" the value of his time, and judged of
" its application. But the ſword, which
" in this beneficent hand was drawn to
" protect the ſubject, and to procure a
" ſpeedy and effectual diſtribution of
" juſtice, was likewiſe ſufficient in the
" hands of a tyrant, to ſhed the blood of
" the innocent, and to cancel the rights
" of men.

" Conſtitutions framed for the preſer-
" vation of liberty, muſt conſiſt of many
" parts; and ſenates, courts of juſtice,

" magiſtrates

" magiſtrates of different orders, muſt
" combine to balance each other, while
" they exerciſe, ſuſtain, or check the exe-
" cutive power. In aſſemblies, conſtituted
" by men of different talents, habits,
" and apprehenſions, it were ſomething
" more than human, that could make
" them agree in every point of import-
" ance; having different opinions and
" views, *it were want of integrity to*
" *abſtain from diſputes:* our very praiſe
" of unanimity, therefore, is to be con-
" ſidered as a danger to liberty. The
" love of the public, and reſpect to its
" laws, are the points in which man-
" kind are bound to agree; but if, in
" matters of controverſy, the ſenſe of
" any individual or party is invariably
" purſued, the cauſe of freedom is al-
" ready betrayed.

" Subjects, as well as their princes,
" frequently imagine that freedom is a
" clog on the proceedings of govern-
" ment; they imagine that deſpotical
" power is beſt fitted to procure diſpatch
" and ſecrecy in the execution of pub-

 " lic

" lic councils; to maintain what they
" are pleaſed to call political order, and
" to give a ſpeedy redreſs of complaints.
" They even ſometimes acknowledge,
" that if a ſucceſſion of good princes
" could be found, deſpotical govern-
" ment is beſt calculated for the happi-
" neſs of mankind.

" But oppreſſions are not always ne-
" ceſſary to deſpotical government, and
" even when preſent, are but a part of
" its evils. It is founded on corruption,
" and on the ſuppreſſion of all the civil
" and the political virtues; it requires
" its ſubjects to act from *motives of*
" *fear*; it would aſſwage the paſſions
" of a few men at the expence of man-
" kind; and would erect the peace of
" ſociety itſelf, on the ruins of that
" freedom and confidence, *from which*
" *alone the enjoyment, the force, and the*
" *elevation of the* human mind *are found*
" *to ariſe* *.

Jove

* Ferguſon on Civil Society.

Jove fixed it certain, that whatever day,
Makes man a ſlave; takes half his worth away.

Homer.

" Tyranny and uſurpation in a ſtate,
" are by no means confined to any num-
" ber, as might eaſily appear from ex-
" amples enough, and becauſe the point
" is material, I ſhall cite a few to prove it.
" The Romans having ſent to Athens
" and the Greek cities of Italy, for the
" copies of the beſt laws, choſe ten legiſ-
" lators to put them into form, and,
" during the exerciſe of their office, ſuſ-
" pended the conſular power, leaving
" the adminiſtration of affairs in their
" hands. Theſe very men, though choſen
" for ſuch a work, as the digeſting a
" body of laws for the government of a
" free ſtate, did immediately uſurp arbi-
" trary power; ran into all the forms
" of it, had their guards and ſpies, after
" the practice of the tyrants of thoſe
" ages, affected kingly ſtate, deſtroyed
" the nobles and oppreſſed the people;
" one of them proceeding ſo far, as to
" endeavour to force a lady of great

" virtue,

" virtue, the very crime which gave
" occaſion to the expulſion of the regal
" power but ſixty years before, as this
" attempt did to that of the decemviri.

" The ephori in Sparta, were at firſt
" only certain perſons, deputed by the
" kings, to judge in civil matters, while
" they were employed in the wars.
" Theſe men at ſeveral times uſurped
" the abſolute authority, and were as
" cruel tyrants as any in their age.

" Soon after the unfortunate expedi-
" tion into Sicily, the Athenians choſe
" four hundred men for the adminiſtra-
" tion of affairs, who became a body of
" tyrants, and were called in the lan-
" guage of thoſe ages, an oligarchy, or
" the tyranny of the few, under which
" hateful denomination they were ſoon
" after depoſed, in great rage by the
" people."

" When Athens was ſubdued by Ly-
" ſander, he appointed thirty men for
" the adminiſtration of that city, who
" immediately fell into the greateſt ty-
" ranny, but this was not all; for con-

" ceiving the power not founded on a
" baſis large enough, they admitted
" three thouſand into a ſhare of the
" government, and thus fortified, be-
" came the cruelleſt tyranny upon re-
" cord *."

" It is not the leaſt menacing ſymp-
" tom of an age prone to degeneracy,
" that the minds of men become per-
" plexed in the diſcernment of merit,
" as much as the ſoul under ſickneſs
" becomes enfeebled in conduct, and
" the heart miſled in the choice of its
" objects. The care of mere fortune
" is ſuppoſed to conſtitute wiſdom; re-
" tirement from publick affairs, and real
" indifference to mankind, receive the
" applauſes of moderation and virtue †.

This unfeeling ſelfiſh moderation of character, in its moſt depraved degree, is finely drawn by Rouſſeau, with his utmoſt force of pencil.

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* Swift's diſſertation on the conteſts of Athens and Rome.

† Ferguſon on Civil Society.

" Un de ces honnetes gens du grand
" monde dont les maximes reſſemblent
" beaucoup à celles des fripons de ces
" gens ſi doux, ſi modérés, qui trouvent
" toujours que tout va bien, parcequ' ils
" ont intéret que rien n'aille mieux; qui
" ſont toujours contents de tout le monde
" parcequ' ils ne ſoucient de perſonne;
" qui autour d'une bonne table ſoutien-
" nent qu'il n'eſt pas vrai que le peuple
" ait faim; qui, le gouffet bien garni,
" trouvent fort mauvais qu'on declame
" en faveur des pauvres; qui, de leur
" maiſon bien fermée verroient voler, pil-
" ler, egorger, maſſacrer tout le genre
" humain ſans ſe plaindre; attendu que
" Dieu les a doués, d'une douceur tres meri-
" toire à ſupporter les malheurs d'autrui."

" Providence has fitted mankind for
" the higher engagements which they
" are ſometimes obliged to fulfil; it is
" in the midſt of ſuch engagements
" that they are moſt likely to acquire or
" preſerve their virtues. The habits of
" a vigorous mind are formed in con-
" tending with difficulties, not in enjoy-

ing

" ing the repoſe of a pacific ſtation;
" penetration and wiſdom are the fruits
" of experience, not the leſſons of re-
" tirement and leiſure; ardour and ge-
" neroſity, are the qualities of a mind
" rouſed and animated in the conduct
" of ſcenes, that engage the heart, not
" the gifts of reflection or knowledge.
" The mere intermiſſion of national and
" political efforts is, notwithſtanding
" ſometimes miſtaken for publick good,
" and there is no miſtake more likely to
" foſter the vices, or to flatter the weak-
" neſs of feeble and intereſted men.

" *Other ſtates may be more or leſs cor-*
" *rupted, but deſpotiſm has corruption for*
" *its baſis.* Here juſtice may ſometimes
" direct the arm of the deſpotical ſove-
" reign, but the name of juſtice is moſt
" commonly employed to ſignify the
" intereſt, or the caprice of a reigning
" power. Human ſociety ſuſceptible of
" ſuch a variety of forms, *here finds the*
" *ſimpleſt of all.* The toils and poſſeſſions
" of many are deſtined to gratify the paſ-
" ſions of one or a few; and the only

" parties that remain among mankind,
" are the oppreſſor who demands; and
" the oppreſſed who dare not refuſe.

" This method of government cannot
" in ſuch caſes fail to introduce *that*
" *meaſure of corruption, againſt whoſe*
" *external effects it is deſired as a remedy.*

" *This is the manner of government into*
" *which the covetous, and the arrogant,*
" *to ſatiate their unhappy deſires would*
" *hurry their fellow creatures.*

" Whoever perceives what are the
" qualities of man in his excellence,
" may eaſily, by that ſtandard diſtinguiſh
" his defects or corruptions. If an in-
" telligent, a courageous, and an affec-
" tionate mind, conſtitute the perfection
" of his nature, remarkable failings in
" any of thoſe particulars, muſt propor-
" tionally ſink or debaſe his character.
" If we would find the cauſes of final
" corruption, we muſt examine thoſe
" revolutions of ſtate that remove or
" withold the objects of every ingenious
" ſtudy, or liberal purſuit; *that deprive*
" *the citizen of occaſions to act as the*

" *member*

" *member of a public*, that cruſh his
" ſpirit, that debaſe his ſentiments, and
" diſqualify his mind for affairs.

" Liberty *is maintained by the continued*
" *differences and oppoſitions of numbers*,
" not by their concurring zeal in behalf
" of equitable government. In free
" ſtates, therefore, the wiſeſt laws are
" never, perhaps, dictated by the intereſt
" and ſpirit of any order of men: They
" are moved, they are oppoſed, or
" amended by different hands; and come
" at laſt to expreſs that medium and
" compoſition which contending parties
" have forced one another to adopt.

" The love of equality, and the love
" of juſtice were originally the ſame,
" and although by the conſtitution of
" different ſocieties, unequal privileges
" are beſtowed on their members; and
" although juſtice itſelf requires a proper
" regard to be paid to ſuch privileges,
" yet he that has forgotten that men
" were originally equal, eaſily degene-
" rates into a ſlave, or in the capacity of
" a maſter is not to be truſted with the

" rights

" rights of his fellow creatures. This
" happy principle gives to the mind its
" ſenſe of independence, renders it in-
" different to the ſeducing favours which
" are in the power of other men, checks
" it in the commiſſion of injuries,
" and leaves the heart open to the
" affections of generoſity and kindneſs.
" Reſpecting commerce. Men are
" tempted to labour, and to practice lu-
" crative arts, by motives of intereſt.
" Secure to the workman the fruit of
" his labour, give him the proſpects of
" independence or freedom, the public
" has found an induſtrious ſervant in
" the acquiſition of wealth, and a faith-
" ful ſteward in ſecuring what he has
" gained. The ſtateſman in this, as in
" the care of population, can do little
" more than avoid doing miſchief. Com-
" merce, if continued, is the branch in
" which men, committed to the effects
" of their own experience, are leaſt apt
" to go wrong *."

* Ferguſon on Civil Society.

After all, I am far from thinking that liberty can be communicated to the ſubjects under our dominions in the Eaſt Indies at once. I am ſenſible, that of all projects, this of communicating freedom to men, that are not prepared to receive it, is the moſt difficult, and which muſt be executed with the greateſt circumſpection. It is like letting in the light upon thoſe who have long been confined in a dungeon. All I contend for, is ſuch a degree of freedom and regular protection as the ſituation of the preſent inhabitants will admit; but even to judge of that, it is neceſſary to lay down the great axioms of politics, to ſhow that the remedy which preſents itſelf ſo naturally to weak minds, namely, that of erecting a dictatorial or deſpotic power in one or more men, without controul, in order to prevent oppreſſion or corruption, is a *ſoleciſm* in government, ſince in fact, thoſe abuſes conſtantly ſpring from deſpotic power. In proof of which, no ſtronger inſtance could be produced than the hiſtory of the Eaſt India company itſelf, which

wants

wants no correction ſo much, as that of puniſhment on the Directors, for abrogating the old authority of the different preſidents and councils, and appointing their incongruous ſecret and ſelect committees, armed with plenipotentiary authority, for cruſhing every honeſt ſpirit, who might be daring enough to oppoſe their iniquitous acts, or give intelligence of them to the public, contrary to the old legal conſtitution for the government of the different ſettlements of the company, and contrary to the obvious conſtruction of the ſeveral charters and acts of parliament.

The flouriſhing ſtate in which Lord Clive found the affairs of the company in Bengal, before thoſe regulations took place, may be proved by the extracts of of his letters *. The ruinous ſtate of the

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* Extract of a Letter from Lord Clive, to the Court of Directors of the Eaſt India Company, dated 1ſt Feb. 1766.

Par. 19th. " Permit me now to acquaint you, " at the ſame time that I think ſome apology for " my

the affairs of that province in three years from that time, without war or any juſt cauſe, excepting the monopolies and depredations of thoſe committees, is now admitted by every one, while the nation ſees with aſtoniſhment, the immenſe fortunes that have been amaſſed under the diſtreſſes

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" my own ignorance neceſſary, that neither myſelf " nor any one of the council, have known the " true ſtate of your bond debts; at leaſt Mr. " Sumner, when he was aſked the queſtion by " me, declared he did not.

" We always underſtood that your bond debts " were not conſiderable, but to my great ſurpriſe, " upon balancing the treaſury books, I find them " to be much greater than I could poſſibly have " imagined. Such a diſcovery may give occaſion " for evil minded people to accuſe us of impru- " dence, in not drawing upon you to the amount " of at leaſt the twenty-four laack ſent to China. " I would not have made ſuch public mention " of this matter, were I not certain that no in- " conveniency could ariſe to your affairs from it. " If theſe provinces remain in peace, as in all " human probability they will, I ſtake my *honour* " and *reputation* to you, that by this time twelve " months, if neceſſary, the whole of your bond

diſtreſſes of the inhabitants, by thoſe very members to whom the directors had intruſted the abſolute management of their affairs. Nevertheleſs, with ſuch glaring examples before our eyes, we are ready to hurry our fellow ſubjects, and the miſerable inhabitants under our protection, unto yet a higher degree of deſpotiſm; and this attempt is not only tolerated, but ſupported by the miniſters of a free government. What I chiefly wiſh to eſtabliſh, is the freedom and independence of our own countrymen, particularly in the pure adminiſtration of juſtice; ſo that the happy effects of a moderated government may extend to the

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" debt ſhall be diſcharged, your civil and military " expences ſhall be defrayed; *fifty* laack ſhall be " advanced for your inveſtment, if goods to that " amount can be provided; twenty-four laack " ſhall again be ſent to China, and every bill " drawn on us by the different preſidencies in " India, ſhall be duly honoured. I do not aſſert " this without conſideration, I aſſert it from the " knowledge I have of your revenues, but if any " man has contradicted me in his private letters, " I deſire only to be judged by the event."

the native inhabitants of the country by due degrees. There are many progreſſions between deſpotiſm and a compleat ſyſtem of liberty; and I have endeavoured to draw that mean * which I believe ſincerely the country will now bear, cautiouſly avoiding the extreme. To judge of the whole, it is neceſſary to underſtand the preſent ſtate of that country, particularly the manner of ſucceeding to inheritance, and of adminiſtring juſtice in the Phouzdary and Bazee Jumma courts; but an explanation of theſe would exceed the bounds I have preſcribed to myſelf, and therefore, my ſcheme can only be thoroughly intelligible to thoſe who are converſant in ſuch matters.

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* The greateſt part of mankind may be divided into two claſſes, that of ſhallow thinkers, who fall ſhort of the truth, and that of abſtruſe thinkers, who go beyond it. *Hume.*

* *Plan of Government for* BENGAL.

1. That the enacting and controuling power of the community, ſhall be in the preſident, by and with the advice of the council.

2. That the council ſhall conſiſt of ſixteen members, beſides the preſident, two of whom ſhall have ſerved in the army.

3. That nine of the ſaid counſellors ſhall reſide at the preſidency.

4. That no buſineſs ſhall be done, unleſs every member reſident within the diſtrict ſhall have been ſummoned.

5. That ſix counſellors and the preſident ſhall make a quorum. But in caſe of ſickneſs, four ſhall be ſufficient to do buſineſs.

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* Any conſtitution of government, which requires from the conductors more than a moderate ſhare of ſenſe, a moderate ſhare of experience, and a moderate ſhare of virtue, does not deſerve to be conſidered as an eſtabliſhment. Chev. *Ramſay.*

A free government which requires continual dictatorial powers, is like a clock that conſtantly requires a man to turn the handle round.

Harrington.

buſineſs, provided the whole four and the preſident are unanimous.

6. That the preſident and council ſhall have the power of making laws for the government of the ſociety, under the following reſtraints.

7. That particular attention be had to the prejudices and cuſtoms of the natives.

8. That no law, extending to the life or limb of any perſon ſhall be valid, until confirmed by his majeſty in council, the court of directors, or a general court in England, as may be ſettled.

9. That all laws ſhall be regiſtered in the mayor's court.

10. That no law ſhall have any effect, until regiſtered by the mayor's court.

11. That the mayor's court ſhall have a * negative power in regiſtring any law, until the ſenſe of the controuling power in England is known.

12. That no regulation ſhall paſs into a law, until thirty days notice has been given in ſome public place.

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* All free governments muſt conſiſt of two councils, a leſs and a greater.

Hume's idea of a perfect common wealth,

13. That both the governor and council, and the mayor's court, ſhall be open to hear any perſon, or perſons, againſt the paſſing of any law which may be propoſed.

14. That there ſhall be eſtabliſhed a board, which I ſhall call a board of Revenue, to conſiſt of two of the youngeſt councellors, and five of the oldeſt ſenior merchants.

15. That this board ſhall have the adjuſting, ſettling, auditing, iſſuing, and receiving, all matters relative to the revenue.

16. That in all matters of controverſy before the board of revenue, there ſhall be an appeal to the governor and council.

17. That there ſhall be eſtabliſhed, at the inferior ſettlements, ſuch as Dacca, Chittagong, Muxadavad, Patna, Burdwan, Malda, and Mednapore; ſix other boards under the immediate controul of the board of revenue in Calcutta.

18. That thoſe other boards ſhall conſiſt of one councellor, four factors or

junior

junior merchants, and three of the ſenior writers.

19. That theſe boards ſhall have the regulating and letting of all the lands in the different diſtricts.

20. That the different lands ſhall be lett by public out-cry, for three years, and only to thoſe who can find two good ſecurities.

21. That particular regard and attention is to be had to the rights of every Rajah, or Zimindar, ſo as thoſe rights do not hinder the general improvement of the country.

22. That theſe boards ſhall further provide the company's inveſtment in the places where they are eſtabliſhed.

23. That theſe boards ſhall decide all diſputes about property, under 400*l.* with an appeal to the mayor's court, if above 200*l.* otherwiſe to be final.

24. That the manner of proceſs in thoſe courts ſhall be by complaint, anſwer, and rejoinder, in writing, and then by hearing *viva voce* evidence, and ſo to determine on the ſpot.

25. That theſe boards ſhall likewiſe have cognizance, and final deciſion in all public frauds or breaches of the peace, not extending to life or limb, or exceeding forty laſhes in corporal puniſhment.

26. That in every trial for life or limb, three of the eldeſt members ſhall ſit as judges, but the fact ſhall be determined by a jury of twelve men, ſummoned indifferently from the vicinage, where two thirds muſt agree.

27. That there ſhall be held in each diſtrict, monthly courts for criminal complaints, and quarterly courts for civil affairs.

28. That the ſenior merchants ſhall be choſen from the junior merchants, by a majority of votes among the factors and junior merchants.

29. That the freedom and independence of the judges of the mayor's court, ſhall be ſupported agreeably to the charter of juſtice; and the writs and authority of that court, ſhall extend all over the country under our dominion, in matters above 400*l.* but that no part of the principal

ſum

ſum ſhall be given for the recovery of any debt *.

30. That there ſhall be appointed, an officer of the law (whom I ſhall call attorney general) who is to conduct all public proſecutions for criminal offences.

31. That the preſident ſhall not act as a juſtice of the peace.

32. That the commander in chief of the army, ſhall have the recommending of all officers to promotion, and the different ſtations allotted for the troops, but ſhall not be a member of the council.

33. That the two counſellors, who have ſerved in the army, ſhall viſit and review the troops, barracks, and fortifications, twice a year, and ſhall make a regular report.

34. That as ſoon as war ſhall be declared by the governor and council, the general operation of the war ſhall be directed by the governor, his apparent ſucceſſor, the commander in chief of the

* In the Phouſdary courts a certain proportion of the ſum recovered is deducted, under pretence of defraying the expence of *juſtice*.

army, and the eldeſt counſellor, who has ſerved in the army, until peace is reſtored, the terms of which ſhall be ſettled by the governor and council.

35. That all cockets or duſticks ſhall be granted by the board of revenue.

36. That all contracts ſhall be firſt made by the board of revenue, and then affirmed by the governor and council.

37. That every encouragement ſhall be given to the introduction of cotton, and the cultivation of grain and ſilk.

38. That every encouragement ſhall be given to the private merchant in the export trade of the country *.

39. That the manufacturer ſhall at all times, and in all things, be free to buy and ſell to whom he pleaſes, and at what prices.

40. That all coins or pieces of gold and ſilver, ſhall go by weight and fineneſs.

41. That

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* This trade has been harraſſed to an incredible degree, under a monopoly of freight ſhips, by the governor and council.

41. That the governor and council ſhall have the power of ſuſpending any officer of government, upon ſtating his crime, and hearing his defence; *both* of which are to be forthwith tranſmitted to the court of directors.

42. That no councellor ſhall be ſuſpended, unleſs three fourths of the whole number concur, or the eight preſent are unanimous.

43. That no military officer ſhall be diſmiſſed the ſervice, except by the ſentence of a court martial, or an order from the court of directors.

Reſpecting the ſalaries of officers, I think they ſhould be very much below the preſent ſtandard.—I believe this maxim, that " you ought to encreaſe " the wages of the public magiſtrates, " according to the wealth of the com- " munity," has corrupted all the ſtates which have exiſted in the world.—I apprehend that no ſumptuary regulations can keep down the progreſs of luxury. —It muſt be done by the plain and decent example of men in authority, who

will ever give the faſhion and the tone of manners to the ſociety.

By annexing great wealth to great offices, you do a double miſchief: you raiſe vain, worthleſs, avaricious competitors for theſe ſtations, and you furniſh means even to corrupt the virtuous.—Public ſtations ſhould only be coveted from motives of public virtue. There is no general received opinion more untrue than this, That the vulgar at all times require great pageantry and oſtentation, in order to create reſpect for public offices.

In the firſt ſtages of ſociety the above maxim may be true, both in politicks and religion; but in the latter ſtages of government, when men have ſettled the reaſon of political inſtitutions, and thrown off the fear of ſpirits, and ſeen through the farce of pomp: the natural character of a man, is the behaviour above all others that will create him the moſt reſpect.

When the Perſian Satarape ſaw the king of Sparta ſtretched on the graſs

with

with his ſoldiers, he bluſhed (ſays Plutarch) for the coſtly proviſion he had made for the accommodation of his own perſon. He ordered the furs and the carpets to be withdrawn: he felt his own inferiority, and recollected he was to treat with a man, not to vie with a pageant.

I acknowledge at the ſame time, there is a great difference in eſtabliſhing regulations, with reſpect to men who leave their native country, and act in a ſociety which they are determined to quit, they undoubtedly require ſome greater pecuniary encouragements, as money is the very end of their voyage. But it is our duty to moderate this luſt of gain, or at leaſt to proportion it to the ſituation of our affairs.

I think that a governor ſhould be enabled to lay by in clear Gain - - a Year £. 12,000

A counſellor - -	4,000
A commander in chief -	5,000
Colonel - - -	2,000
Senior merchant - -	2,000

Junior

Junior merchant - -	1,200
Captain - -	1,200
Factor - - -	1,000
Lieutenant - - -	500
Writer - - -	200
Attorney general - -	2000

and ſo in proportion.

At preſent the ſuperior officers acquire five times thoſe ſums, and the inferior much leſs.

OBSERVATIONS *on the foregoing* PLAN.

In the above plan, all the ſervants of the company will be educated in honourable and inſtructive employments.—They will riſe by degrees, to the ſuperior ſtations, acquiring experience in the parts of government as they advance.

The different boards in the different diſtricts, will create a proper emulation in the execution of their duty.

No perſon will riſe to the rank of ſenior merchant, unleſs he has conducted himſelf ſo as to acquire the good opinion of his companions in office.

The governor and council will have an opportunity of rejecting every worthleſs member at that ſtage, by the ſentence of the community, and of prefering men of merit by the ſame means, which is ever the moſt effectual way of exerciſing authority. No man can ſit at the board of revenue before he has had experience in the collections at the out ſettlements, excepting upon the firſt inſtitution, where, from the ignorance in which our ſervants have been kept, they will undoubtedly be much at a loſs, in the different branches of duty.

The two military officers in the council, will ſerve as an inducement to engage the gentlemen of the army to apply to underſtand the civil inſtitutions of the country, ſince it is to be preſumed they will only be beſtowed upon thoſe who have ſtudied and reſpected them. Beſides, as the military appointments of every kind, are a principal part of the inſtitutions for preſerving our dominions in India, it is neceſſary, that gentlemen acquainted with that ſervice, ſhould form

a part

a part of the directing power of the community, both at home and abroad.

The negative power of the mayor's court will give reſpect to the members, and oblige the governor and council to conſult the judges of the country, in enacting any regulation; and in caſe the council ſhould be led away by their own intereſt, there will be a proper check until the matter is remitted to more indifferent judges.

The reaſon of holding monthly courts for criminal complaints, is on account of the heat of the country, which will not admit of long confinements, beſides the neceſſity of ſpeedy juſtice, to men who have been accuſtomed to deſpotic government.

The neceſſity of a public proſecutor is ſo evident, that the wonder will rather ariſe that there has not been one already appointed, although the charter of juſtice fixes the governor and council, as the juſtices of oyer and terminer, yet, the preſident need not act; and it is quite improper that the ſuperintendant of the

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whole ſettlement ſhould ever appear in that diſagreeable ſtation, where he muſt ever create too much influence, or too much hatred and contempt.

It is certainly improper that the commander in chief of the army ſhould be in the council, at the ſame time it is proper he ſhould have the regulation of his own corps, it is his intereſt to be at war; and it will be his fervent inclination to find that ſituation, if he is a good ſoldier.

The only check I could deviſe for preventing improper acts of hoſtility, and alſo to rid the warlike operations, when once begun, from the clog of tedious conſultations, was by putting all power reſpecting the operations of the war, under the governor, his apparent ſucceſſor, the eldeſt council, who has ſerved in the army, and the commander in chief of the troops.

It is hardly to be ſuppoſed, that the other gentlemen of the council will wantonly diveſt themſelves of ſo much authority, and reſign it to others, without the utmoſt neceſſity; and it is equally to

be preſumed, they will reſume it as ſoon as poſſible.

Unleſs the greateſt encouragement is given to exporting the manufactures of Bengal, in the trade of India; and alſo the greateſt encouragement to the farmers and manufacturers to multiply and encreaſe, it is abſurd to expect we can draw theſe immenſe ſums from that country which are propoſed. This can only be done by encouraging the cultivation of grain and raw materials, and leaving the markets free and uncontrouled, where the company will find ſufficient advantages, by the ſuperior force of money, and by the encreaſing wealth of the natives.

When one board has the power of contracting, and the other the power of controul, frauds will be leſs frequent: and in general it may be obſerved of this plan, that the different checks are ſuch as will detect fraud, without retarding buſineſs.

Upon the whole, the great objects being to maintain the military on a proper footing of defence.

To

To prevent intereſted and unneceſſary ruptures with the country powers.

To improve the cultivation, and encreaſe the collections of the public revenue.

To prevent fraud and embezzlement in the application of it.

To promote the induſtry and proſperity of the natives, ſo that manufacturers may multiply, and that the ſurrounding inhabitants may be induced to croud to our territories, from the juſtice and regularity of our government, when property is ſecured to the induſtrious acquirer, that it may deſcend to his poſterity; and that all the oppreſſions of the Fouſdary and Bazee Jumma courts * may be aboliſhed. I ſay, if thoſe are the objects to be obtained, I humbly preſume to think they are all conſidered in the above plan, which contains

* This is the ſtrangeſt inſtitution that ever was kept up by a civilized nation; a number of ſpies are maintained by government, to give informations *againſt the people* on different failures in moral or religious duties, by which various mulcts or fines are impoſed on the inhabitants to a very conſiderable amount, ſpreading diſtraction and diſtruſt through the provinces.

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contains my ſentiments upon the ſituation of the affairs of the Eaſt India company. I am conſcious they are far from being perfect, my whole ſyſtem meaning to enforce this maxim, that good government can only ſpring from the judgment and opinions of many, after a thorough diſcuſſion. But of this I am confident, from the little I know of the human frame; that unleſs the preſent deſtructive deſpotiſm is aboliſhed, and ſome regulations eſtabliſhed to moderate its effects, that our poſſeſſions in India can never prove profitable to the proprietors, or ſtand ſecured to the nation. On the contrary, that we muſt from the nature of things, be continually involved in war after war, and expence upon expence, whilſt the miſerable inhabitants of the country continue liable to be ſtripped and plundered, by one ſet of ruffians ſucceeding another, to the eternal diſgrace of humanity, and the laſting reproach of this nation.

F I N I S.